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09/834,833	04/13/2001	Ramaprakash H. Sathyanarayan	M-9213 US	4294

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EXAMINER
WOO, ISAAC M

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 06/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 April 2001* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5)☐ Notice of Informal Patent Application (PTO-152)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2* .	6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-10, 12-19, 29-31 and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Van et al (U.S. Patent No. 6,408,298, hereinafter, "Van").

With respect to claims 1 and 29, Van discloses, if an item to be copied is a

directory, see (col. 1, lines 61-67 to col. 2, lines 1-6, col. 4, lines 16-45, col. 11, lines 3-

6); copying the item if the item is a file, see (col. 1, lines 61-67 to col. 2, lines 1-6, col. 4,

lines 16-45, col. 11, lines 3-6, col. 11, lines 61-67 to col. 12, lines 1-12, col. 12, lines 28-

37). Van does not explicitly disclose creating a process. However, Van discloses the

electrical computers and data processing systems, see (col. 1, lines 19-25, col. 2, lines

57-67 to col. 3, lines 1-13, col. 5, liens 26-55). And the definition of process is a

sequence of states of an executing program. A process consists of the program code

(which may be shared with other processes which are executing the same program),

private data, and the state of the processor, particularly the values in its registers. It may

have other associated resources such as a process identifier, open files, CPU time

limits, shared memory, child processes, and signal handlers. The copying directory (col.

1, lines 61-67 to col. 2, lines 1-6, col. 4, lines 16-45, col. 11, lines 3-6) is a program code

to execute the process to create process to copy a directory. Thus, it would have been

obvious a person having ordinary skill in the art the time invention was made to include

the creating process in the system of Van to the copying command of program code to

execute the creating the process. Because the copy command program executes the

computer processor for copy.

With respect to claims 2 and 3, Van discloses the process performing the act of

creating or copying with another item (file) in the directory and repeating the act of

creating or copying with another item, see (col. 1, lines 61-67 to col. 2, lines 1-6, col. 4,

lines 16-45, col. 11, lines 3-6).

With respect to claims 4-5 and 31 Van discloses the comparing a current number

of process started for copying with a limit, waiting if the current number is grater than or

equal to the limit, increasing from a default limit on a resource to a maximum limit for the

resource, see (col. 1, lines 61-67 to col. 2, lines 1-6, col. 4, lines 16-45, col. 11, lines 3-

6).

With respect to claim 6, Van discloses that the resource is number of open file,

see (FIG. 3A, col. 7, lines 36-45).

With respect to claims 7-10, Van discloses the resource is file size and memory that is organized as heap and stack, see (FIG. 1, col. 5, lines 10-67 to col. 6, lines 1-67 to col. 7, lines 1-18).

With respect to claims 12 and 33, Van discloses the checking if the file is a link to itself, and performing the copying only if the file is not a link to itself, see (col. 4, lines 15-65, the system checks any available files, and then only available files are transferred for copying).

With respect to claims 13-18 and 30, Van discloses, string comparison operation, sending an email message if a resource at a destination is full, waiting to be restarted subsequent to sending the email message, sending a signal to self to suspend execution, recopying the file from beginning, on being restarted and identifying an email address from a password file based on an identity of a user that started the process of performing the creating or copying, see (col. 4, lines 15-67 to col. 5, lines 1-10, Note: email messages system are used for file transferring processing).

With respect to claim 19, Van discloses that the creating is performed only if the directory is not a current directory and not a parent directory, see (col. 4, lines 15-67 to col. 5, lines 1-10, Note: email messages system are used for file transferring).

3.   Claims 11 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Van et al (U.S. Patent No. 6,408,298, hereinafter, "Van") in view of Crouse et al

(U.S. Patent No. 5,764,972).

        With respect to claims 11 and 32, Van does not disclose the limitations of

transferring data to buffer using temporary buffer and direct memory access processing.

However, Crouse disclose, transferring data from the file into a temporary buffer (col. 5,

lines 43-64) and the definition of buffer is a temporary data storage that is like cache

between main data storage the locking the temporary buffer), locking the temporary

buffer, see (442, FIG. 16c, FIG. 16d, col. 26, lines 23-65); and invoking a direct memory

access (DMA) process for making a copy from the temporary buffer, see (466, FIG. 16c,

FIG. 16d, col. 26, lines 23-65). Therefore, it would have been obvious a person having

ordinary skill in the art the time invention was made to combine transferring data to

buffer using temporary buffer and direct memory access processing of the system of

Crouse with the system of Van. Because the buffer with unlocking and locking buffer

provides temporary data storage, which can reduce data traffic for data transferring or

data copying, and direct memory access (DMA) process is used for data writing

(copying) on memory.

4.   Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Yabumoto (U.S. Patent No. 5,717,951).

With respect to claim 20, Yabumoto discloses, on a resource to a maximum limit for the resource, see (col. 9, lines 64-67 to col. 10, lines 1-14), copying a file, see (col. 24, lines 4-20). Yabumoto does not explicitly disclose the default limit. However, Yabumoto discloses the maximum allowable data block (resource) size is defined, which means the maximum allowable data block (resource) size is getting from default. Therefore, it would have been obvious a person having ordinary skill in the art the time invention was made to the default limit to verify the current data available block size. Before, data transforming from one data storage unit to the others, the system check available data block size (default resource limit).

With respect to claim 21, Yabumoto discloses that the resource is one of (number of open files, file size, and memory), see (FIG. 2A-B, col. 7, lines 65-67 to col. 8, lines 1-12).

5.   Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crouse et al (U.S. Patent No. 5,764,972).

With respect to claim 22, Crouse disclose the method of copying files implemented in a computer, locking the temporary buffer, see (442, FIG. 16c, FIG. 16d, col. 26, lines 23-65); and invoking a direct memory access (DMA) process for making a copy from the temporary buffer, see (466, FIG. 16c, FIG. 16d, col. 26, lines 23-65).

Crouse does not explicitly disclose transferring data from the file into a temporary buffer.

However, the system of Crouse is for effective file transferring method using buffer, see

(col. 5, lines 43-64) and the definition of buffer is a temporary data storage that is like

cache between main data storage. Therefore, it would have been obvious a person

having ordinary skill in the art the time invention was made to include transferring data

from the file into a temporary buffer to save data temporarily in buffer. Because the

buffer provides temporary data storage, which can reduce data traffic for data

transferring or data copying.

With respect to claim 23, Crouse disclose the checking if the file is a link to itself,

and performing the copying only if the file is not a link to itself, see (14a, col. 22, lines 8-

45, the system checks any available archive files, and then only available archive files

are transferred for copying).

6.   Claims 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Perelman (U.S. Patent No. 5,274,696).

With respect to claims 24 and 27, Perelman discloses, copying a file (FIG. 1,

transferring message, col. 2, lines 15-68); and

sending message if a resource (disk) at a destination is full, see (col. 10, lines

30-65). Perelman does not explicitly disclose email message. However, Perelamn

discloses mailbox (col. 10, lines 30-65), which teaches that the mailbox contains email

messages. Therefore, it would have been obvious a person having ordinary skill in the

art the time invention was made to include email message to send out message if a

resource at a destination is full. Because the email system provides effective electronic

communication between computers for human users.

With respect to claims 25 and 26, Perelman discloses, waiting to be restarted

subsequent to sending the email message and identifying an email address from a

password file based on an identity of a user that started the copying, see (col. 10, lines

30-65, Note: the mail system provides email address and message sending orders).

With respect to claim 28, Perelman discloses the changing the resources at the

destination in response to the email message; and restarting the process, see (col. 10,

lines 30-67 to col. 11, lines 1-60).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Ansari (U.S. Patent No. 6,553,486) discloses the system for handling transfers of

vector data between a memory and a data processor by one or more application

programs in a computer system. A compiler identifies the use of vector data in the

application program and implements one or more vector instructions for transferring the

vector data between memory and registers used to perform calculations on the vector data. The compiler also schedules transfers of portions of the vector data required in a calculation so that calculations on a portion of the vector data are performed while a subsequent portion of the vector data is transferred. A vector buffer pool is partitioned into one or more vector buffers based on configuration information including the number of vectors buffers required by an application program and the size required for each vector buffer. The vector buffers are allocated for exclusive use by an application program that is executing in the data processor. During a context switch between application programs, a synchronization instruction is used to allow the instructions issued by one application program to finish before any transfer instructions issued by the second application program may begin. Instructions for indicating whether the vector buffer pool is available for use are also included.

Contact Information

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Isaac M Woo whose telephone number is (703) 305-
0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone numbers for
the organization where this application or proceeding is assigned are (703) 746-7239 for
regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is (703) 305-
3900.

IMW
May 29, 2003

SHAHID AL ALAM
PRIMARY PATENT EXAMINER